

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 96-318-C - ORDER NO. 2000-0132
FEBRUARY 7, 2000

IN RE: Establishment of Fund to Address Revenue)	ORDER
Impact on Incumbent Local Exchange)	ON REMAND
Carriers Electing to Reduce Toll Switched)	
Access Rates.)	

This matter comes before the Public Service Commission of South Carolina (the Commission) on remand from the South Carolina Supreme Court. The Supreme Court held that specific notice should have been given to affected customers prior to raising rates to customers of twenty-one (21) local exchange carriers. We had held in our prior Orders that the language of S.C. Code Ann. Section 58-9-280 (L) (Supp.1998) mandated certain rate increases, and, therefore, notice under the general rate case statutes, S. C. Code Ann. Sections 58-9-520 and 58-9-530 (Supp.1998) was inappropriate and unnecessary. The Court, however, disagreed, and ordered us “to hold hearings for each local exchange carrier after adequate notice to the affected customers...”

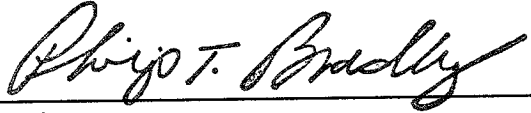
We believe that the language in quotation marks above could possibly indicate that the Court intends for this Commission to hold twenty-one (21) separate hearings, one for each of the local exchange carriers affected by the remand, though the language is, to some degree, ambiguous. In considering this matter, we have concerns that holding twenty-one separate hearings if so ordered could increase the expense to the customers of

the various local exchange carriers, and consume more hearing time than is necessary to meet Due Process requirements.

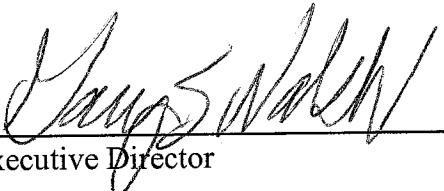
Accordingly, we hold that the Commission Staff shall file with the South Carolina Supreme Court a request for rehearing and/or reconsideration and/or clarification of the portion of the Court's Order which potentially refers to individual hearings for each local exchange carrier. Staff shall request permission from the Court to allow some combination of carriers for hearing purposes, so as to serve the dual purposes of a potential reduction in expense, and judicial economy.

This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)